

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

TERA A. McMILLAN)
Plaintiff)
)
v.) Civil Action No: 2:07-cv-00001-WKW
)
ALABAMA DEPARTMENT OF)
YOUTH SERVICES, et al.,) (JURY DEMAND)
Defendants)

Plaintiff's List of Proposed Trial Exhibits

Comes now the Plaintiff, by and through undersigned counsel, and submits this list of proposed exhibits in this matter.

Exhibit

- 1 McMillian appointment letter dated October 22, 2002
- 2 Notes of Investigative Findings by Debra Spann dated June 14, 2005
- 3 Spann Meeting Notes
- 4 EEOC Charge of Discrimination, 7/12/05
- 5 Memorandum from Debra Spann, DYS Personnel Manager, to J. Walter Wood Jr., dated July 19, 2005.
- 6 Memorandum from Tim Davis, Deputy Director to J. Walter Wood, November 3, 2005.
- 7 Letter from J. Walter Wood to Michael Hardy, November 4, 2005
- 8 November 15, 2005 Hearing Transcript
- 9 Marcia Calendar Memo to J. Walter Wood, 12/8/05
- 10 Letter from J. Walter Wood Jr. to Michael Hardy, January 6, 2006.
- 11 Statement of Facts for State Personnel Hearing
- 12 Administrative Law Judge Recommended Order dated August 1, 2007.

13 Hardy Retaliation Documents. 6/21/05; 7/14/05
14 EEOC Charge, 12/11/05
15 EEOC Dismissal and Notice of Rights
16 Staton Interview of McMillian, Feb 16, 2006
17 Staton Report re: EEOC Charge, 3/31/06
18 Staton Interview of McMillian, December 1, 2006
19 Staton Investigative Summary, 02/27/2007
20 Rosters of employees attending training 2005-2007
21 Internal Memos/Reports at ITU re: McMillian
22 Transcription of Sylvesta Lee's tape recordings
23 Table of ITU Employee Sign In/Out Times, March-April 2006 with supporting Time & Attendance Reports
24 Security Gate Log of employees entering and leaving
25 Daily Time & Attendance Report 06/11/05-02/17/06
26 McMillian Performance Evaluations, 2002-2007
27 Lee's Letter to McMillian, December 6, 2005
28 Lee's Contact with Staff memo Jan 20, 2006 re: Insubordination
29 Lee's Memo re: Mandatory A Training 2006
30 Hardy Memo re: Sex Discrimination, 1/18/00
31 Defendant's Response to Requests for Admissions

Additionally, the plaintiff may utilize and offer into evidence any materials necessary for evidentiary foundation or rebuttal purposes and/or any materials designated by the defendant as potential exhibits in the trial of this matter.

Respectfully submitted this 13th day of February 2008.

/S/ **JIMMY JACOBS**

JIMMY JACOBS (JAC051)
Attorney for Plaintiff
4137 Carmichael Rd, Ste 100
Montgomery, Alabama 36106
(334) 215-1788

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using CM/ECF system and service will be perfected upon counsel of record following this the 13th of February, 2008.

/s/**Jimmy Jacobs**
JIMMY JACOBS (JAC051)
Attorney for Plaintiff

COUNSEL OF RECORD:

T. Dudley Perry, Jr.
Deputy Attorney General
Post Office Box 66
Mt. Meigs, AL 36057

James Eldon Wilson, Esquire
Deputy Attorney General
4265 Lomac Street
Montgomery, AL 36106